

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

10X GENOMICS, INC.,

Plaintiff,

v.

CELSEE, INC.,

Defendant.

C.A. No. 19-862-CFC-SRF

**STIPULATION OF DISMISSAL
OF CLAIMS REGARDING THE '648 PATENT**

WHEREAS, Plaintiff 10x Genomics, Inc. ("10x") has filed suit against Defendant Celsee, Inc. ("Celsee"), asserting among other things a claim for infringement of United States Patent No. 10,227,648 ("the '648 Patent");

WHEREAS, Celsee has filed counterclaims against 10x for declaratory judgment of non-infringement of the '648 Patent, declaratory judgment of invalidity of the '648 Patent, and declaratory judgment of unenforceability as to the '648 Patent;

WHEREAS, on March 4, 2019, 10x provided Celsee an unconditional and irrevocable covenant not to sue for infringement of the '648 Patent based on Celsee's sales, use, and manufacture of the Genesis Platform (Exhibit A);

WHEREAS, the parties have agreed for 10x to dismiss its claim against Celsee for infringement of the '648 Patent and for Celsee to dismiss its counterclaims for declaratory judgment of non-infringement of the '648 Patent and declaratory judgment of invalidity of the '648 Patent, as well as its counterclaim for declaratory judgment of unenforceability as concerns the '648 Patent;

NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, subject to the approval of the Court, as follows:

1. Pursuant to Federal Rule of Civil Procedure 41, 10x hereby dismisses, with prejudice, its claim against Celsee for infringement of the '648 Patent.

2. Pursuant to Federal Rule of Civil Procedure 41, Celsee hereby dismisses, without prejudice, its counterclaims against 10x for declaratory judgment of non-infringement of the '648 Patent and declaratory judgment of invalidity of the '648 Patent, as well as its counterclaim for declaratory judgment of unenforceability as concerns the '648 Patent.

/s/ Frederick L. Cottrell, III

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Dated: March 10, 2020

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IT IS SO ORDERED this _____ day of March, 2020.

UNITED STATES DISTRICT JUDGE